

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION OPIATE
LITIGATION

This document relates to:

All Cases

Case No.: 17-MD-2804

Judge: Dan Aaron Polster

**PBM DEFENDANTS' RESPONSE TO
PLAINTIFFS' MOTION TO LIFT
MORATORIUM ON SUBSTANTIVE
FILINGS AND REQUEST FOR
BRIEFING SCHEDULE**

On April 22, 2024, the PEC filed a “Motion to Lift Moratorium on Substantive Filings to Permit Plaintiffs to File Motions for Leave to Amend to Add Defendants” in which the PEC asked the Court to lift the moratorium on substantive filings set forth in CMO 1 (Dkt. 232) to permit plaintiffs to file motions for leave to amend to name additional defendants. OptumRx and Express Scripts take no position on the PEC’s motion to lift the moratorium. But if the Court is inclined to grant the PEC’s motion, the PBM Defendants propose the following briefing schedule on any motion for leave to amend existing complaints:

- The PEC will file its motion for leave to amend to name additional defendants within **30 days** after the Court’s order granting the PEC’s motion to lift the moratorium.
- Any defendant wishing to file an opposition to the PEC’s motion for leave to amend will do so within **30 days** of the deadline for the PEC to file its motion for leave.
- The PEC will file its reply brief in support of its motion for leave, if any, within **14 days** of the deadline for defendants to oppose the PEC’s motion for leave.

Dated: April 30, 2024

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